

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO,

as representative of

THE COMMONWEALTH OF PUERTO
RICO, *et al.*

Debtors.¹

PROMESA Title III

No. 17 BK 3283-LTS

(Jointly Administered)

NOTICE OF PARTICIPATION BY THE UNITED STATES OF AMERICA

On October 13, October 21, and November 2, 2021, this Court certified to the Attorney General of the United States various challenges to the constitutionality of a Plan of Adjustment for the Commonwealth of Puerto Rico, the Public Building Authority, and the Employee Retirement System, that has been proposed by the Financial Oversight and Management Board for Puerto Rico under the Puerto Rico Oversight, Management, and Economic Stability Act (“PROMESA”), 48 U.S.C. § 2101 *et seq.*, and title 11 of the United States Code to the extent incorporated into

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284) (Last Four Digits Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

PROMESA. In accord with 28 U.S.C. § 2403(a), Federal Rule of Civil Procedure 5.1(c), and the orders of the Court referenced above, the United States respectfully notifies the Court and the parties that the United States will participate in the above-captioned proceeding for the purpose of defending the constitutionality of PROMESA as it applies to the proposed approval of the Plan of Adjustment. The United States will file its memorandum of law no later than February 7, 2022.

Dated: January 7, 2022

Respectfully submitted,

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/s/ Jessica L. Cole
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CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of January 2022, I caused a true and correct copy of the foregoing *Notice of Participation by the United States of America* to be filed with the Clerk of the Court using the CM/ECF system which will generate electronic notification to all CM/ECF participants in these cases.

/s/ Jessica L. Cole
Jessica L. Cole